

MINUTES OF THE
MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD
Regular Monthly Meeting
Monday, March 2, 2015

The monthly meeting of the Mississippi Charter School Authorizer Board was held at 10:00 a.m. on Monday, March 2, 2015, at the office of the Board of Trustees of the Mississippi Institutions of Higher Learning, located at 3825 Ridgewood Road, Jackson, Mississippi. In attendance were:

Tommie Cardin, Chairman
Dr. Bonita Coleman-Potter
Dr. Karen Elam
Johnny Franklin
Dr. Carey Wright

Krystal Cormack, Vice-Chair, participated via teleconference. Chris Wilson was unable to attend.

Board Chairman Tommie Cardin called the meeting to order at 10:15 a.m.

ITEM I. ADOPTION OF THE AGENDA

A. Adoption of Agenda

The agenda was previously circulated to all Board members for their review.

Chairman Cardin requested a motion to adopt the agenda as presented.

MOTION: Mr. Franklin

SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present and participating, the motion carried.

ITEM II. APPROVAL OF THE MINUTES

A. Approval of Minutes

The Minutes of the January 27, 2015 meeting were previously distributed to the Board members for review. Chairman Cardin suggested clarification of the intent of the motion made in Item VI. C. Recurring Invoices. After discussion and agreement on the intent of the motion, the language was modified to read, "After discussion, a substitute motion was made to authorize the Executive Director to pay individual vendor invoices not to exceed \$500.00."

Dr. Coleman-Potter requested that language be added to Item VI. E. 2015 Mississippi Charter School Authorizer Board Calendar, to reflect the Board's discussion of moving the monthly meetings around to different areas of the state specifically in an effort to do more community outreach in areas where a charter school might be beneficial. Chairman Cardin stated that

language can be added which states that the “location of each meeting will be determined with consideration given for outreach efforts for charter development.”

One other typographical error was corrected to indicate an item E. rather than two items designated D.

Chairman Cardin requested a motion for approval of the Minutes of the January 27, 2015 meeting, as amended.

MOTION: Dr. Wright

SECOND: Dr. Coleman-Potter

There being no further discussion and following a vote in favor by all members present and participating, the motion carried.

ITEM III. CHAIR REPORT

A. Standing Committees Structure

Chairman Cardin reported that the Board had previously discussed the need to create various standing committees as required by the Bylaws and had, during the retreat, discussed the prospect of creating an applications committee and a performance and accountability committee. Chairman Cardin now proposed members of those committees as follows:

Applications Committee:

Chair, Mrs. Cormack

Vice Chair, Dr. Elam

Member, Mr. Franklin

Performance and Accountability Committee:

Chair, Dr. Coleman-Potter

Vice Chair, Dr. Wright

Member, Mr. Wilson

He stated that these committee appointments will be considered during New Business and, if it is the will of the Board, someone can make a motion to approve those committees for the coming year. Chairman Cardin stated that he did not see a need for the ad hoc committees previously formed in light of the hiring of the Executive Director and her assuming the majority of the duties being performed by those committees.

B. Legal Counsel

Chairman Cardin stated that he sees a need for designated legal counsel for the Board going forward and he has been in touch with Mike Lanford with the Attorney General's Office asking that the Attorney General consider assigning an AG attorney as legal counsel to advise the Board on an ongoing basis. Mr. Lanford is considering this request and Chairman Cardin will follow up with him.

ITEM IV. EXECUTIVE DIRECTOR'S REPORT

A. Summer Intern

Ms. Schutte reported that Teach for America is forming summer internships and has reached out to the Board to see if it is interested in participating again. She is in the process of scheduling interviews with the candidates who have expressed an interest in working with the Board this year and will have more information about this at the April meeting.

B. Committee Meeting Schedules

Ms. Schutte stated that after the Board votes today to confirm the committee structure, she will begin the process of setting up standing meeting schedules and stated that the committee members should expect to receive email communication from her by the end of the current week regarding those schedules.

C. Financial Update

Ms. Schutte reported that Cornerstone Consulting is continuing to work to make sure the Board is able to pay interagency invoices. There have been a few lingering issues with the MAGIC system in terms of being able to receive bills from other agencies and being able to pay those efficiently. She stated further that she is beginning her move to her permanent office space at IHL now that she is able to process purchase orders for needed furniture and supplies.

D. Legislative Update

Ms. Schutte next reported on the funding Bill (SB 2300) that had been discussed during the retreat. She stated that both the Senate and the House versions had passed the floor in each respective body. The House Education Committee has taken up the Senate's version of the Bill and that has been referred to Appropriations. She stated further that she is continuing to work with Senators Tollison and Busby to correct wording in that Bill to ensure that the pro rata calculation is correct for each school. Mr. Franklin asked about the Board's appropriation and Ms. Schutte stated that that is in the IHL Senate Bill 2844.

Mrs. Cormack asked if it was the Board members' understanding that they would consider legislative topics on a case by case basis and discuss whether the Board should take an official stance. Chairman Cardin stated that that was his understanding. She asked that the Board members make themselves aware of Lt. Gov. Reeves' and Speaker Gunn's income tax bill and take a close look at how it will impact school funding and, as a result, any current charter schools or potential charter schools that might consider moving into Mississippi. Chairman Cardin asked if this was an item on which the Board would like to make an official stance or if they would prefer to address it individually. Mr. Franklin stated that he would prefer to address it individually. No further comments were made and no motion was offered.

Dr. Potter stated that she has sent to Chairman Cardin and Ms. Schutte via email information that she received from the school board association related to the charter bill. She stated that a superintendent on the coast has researched that particular bill and is taking the stance that the ad valorem portion of the bill is unconstitutional. She simply wanted the Board to be aware that

there is the possibility of a legal challenge if the Bill passes as it relates to the ad valorem portion of the funds being able to follow the child. She also reiterated Mrs. Cormack's comments regarding the tax cut Bills being considered and strongly suggested that the Board understand the catastrophic nature of the removal of those funds from state coffers and what it will mean to the school districts. She stated that because charters are coming to the table already behind the gun, it will place them at a distinct disadvantage and could greatly disenfranchise the charter movement in the state.

ITEM V. COMMITTEE REPORTS

A. Applications Committee

Mrs. Cormack discussed the 2015 RFP revisions and timeline, which had previously been circulated to the Board members, and stated that she hopes that following a discussion during New Business it can be approved to be released for public comment so that after the 30 day period it can be adopted and allow applicants to begin working on their proposals. The applications committee recommends two main revisions. The first is to separate new school proposals from those of existing operators to streamline what existing operators are required to do if they are already operating a successful school in Mississippi. The committee kept the education service provider information so if these schools are proposing to use a service provider or CMO, that necessary information is still required that will allow the Board to understand their operating procedures, as well as their financial standing.

Secondly, there were some changes made in the third party evaluation section that will allow the operator applicants to receive their third party evaluation report and decision prior to the end of the RFP evaluation process so that the applicant has an opportunity to provide the third party evaluator and Board with a response prior to the Board's meeting. That revision comes from conversations had as a Board as well as with Sen. Jones about a potential grievance process. It gives the operator an opportunity to express how they feel about the terms of the rubric that may have held them back from a recommendation to be granted a charter. She stated that this will create an opportunity for the Board members to see the third party evaluation report and response before the vote, and the committee believes it will help the Board members to make their recommendation based on an exchange between operators and the third party evaluators.

As for the timeline, Ms. Cormack stated that the goal is to launch the RFP on April 7th, hold an applicant information webinar shortly thereafter, require a letter of intent and demonstration of eligibility by May 5th, make eligibility determinations on May 8th, and hold an application orientation with those who met the eligibility determination in early May. Stage 1 – complete proposals would be held May 26th, Stage 2 evaluation in early June, Stage 3 process in July, and make decisions by September 2nd. Though it is a bit of a truncated timeline, the committee feels it is enough time to put in the necessary stages and meet the legislative budgetary timeline.

Chairman Cardin stated the release of the RFP for public comment will be considered during New Business with the Board having the opportunity to vote to adopt at its next meeting on April 6th.

Ms. Cormack encouraged the organizations that had submitted public comments in the past, as well as any other organizations wanting to do so now, to do so again as those comments have been very beneficial to the committee in the past.

ITEM VI. NEW BUSINESS

A. 2015 Request for Proposals - Release for Public Comment

Chairman Cardin requested a motion to approve the revised Request for Proposals to be released for public comment.

MOTION: Mr. Franklin

SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present and participating, the motion carried.

B. Approval of Invoices

Ms. Schutte presented the NACSA invoice and itemized list of charges. She asked that the Board consider paying a portion of this invoice with some of the private funds in the Board's account that are outside of the legislative appropriation.

Dr. Wright asked for clarification of the timeframe covered by this invoice and asked that subsequent invoices indicate the specific billing period.

Mr. Franklin asked if the NACSA invoices would be "trimmed" moving forward. Ms. Schutte stated that these would be trimmed now that she has assumed many of the project and performance management services, and NACSA will be used primarily for their third party evaluation of the applications.

Chairman Cardin requested a motion to approve payment of the NACSA invoice.

MOTION: Dr. Elam

SECOND: Dr. Wright

There being no further discussion and following a vote in favor by all members present and participating, the motion carried.

C. Standing Committees Structure

Chairman Cardin explained that the Bylaws of the Board state that standing committees are to be formed and approved by the Board by way of an official vote, as opposed to ad hoc committees that can be appointed by the Chair. Chairman Cardin proposed two standing committees as follows:

Applications Committee:

Ms. Cormack, Chair; Dr. Elam, Vice Chair; Mr. Franklin, Member

Chairman Cardin requested a motion to establish the Applications Committee with the proposed member and officers.

MOTION: Dr. Coleman-Potter

SECOND: Mr. Franklin

There being no discussion and following a vote in favor by all members present and participating, the motion carried.

Performance and Accountability Committee:

Dr. Coleman-Potter, Chair; Dr. Wright, Vice Chair; and Mr. Wilson, Member

Chairman Cardin requested a motion to establish the Performance and Accountability Committee with the proposed member and officers.

MOTION: Dr. Elam

SECOND: Mr. Franklin

There being no discussion and following a vote in favor by all members present and participating, the motion carried.

D. Strategic Plan: Discussion and Possible Action

A draft of the Strategic Plan has been previously circulated to each board member for review. Chairman Cardin expressed his concern with the first goal or objective which specifies a number of schools that the Board will authorize by a set date and stated further that the number of schools the Board is able to approve will be driven by the quality of the applications received and the requirements of the law. Although he likes to have that as a goal, Chairman Cardin recommended removing that specific language as a requirement.

Ms. Cormack suggested revising the language to indicate that it is the Board's "aim to authorize" a certain number. Chairman Cardin stated that he remains uncomfortable with pegging a specific number, and Dr. Wright suggested possible language which states that the Board will "... authorize additional charter schools serving as many students as possible." Chairman Cardin stated he would be comfortable with something similar to that.

After some discussion concerning Item C and its requirement that the Board make efforts to identify districts that might be interested in charter school conversions, Dr. Coleman-Potter asked if perhaps the objective in that area should be more outreach as opposed to identifying a number. If the onus is on the Board to ensure that the public has a better understanding of the charter school movement, perhaps there should be an objective added that the Board do more community outreach to traditional public school districts. Chairman Cardin agreed and stated further that there is a great deal of public misconception about charters and what charter schools are supposed to be about, and anything the Board can do to educate others throughout the state about what charters are, the purpose of the Board, and what the Board is trying to accomplish will be beneficial. Dr. Coleman-Potter identified several educational forums at which she would like Ms. Schutte and the Board to have a strong presence.

Chairman Cardin stated that the Board would continue to review the strategic plan and, based on these conversations, Ms. Schutte will make some revisions to the draft as it exists and recirculate to the Board members for their consideration prior to the April meeting.

ITEM VIII. PUBLIC COMMENT

Mike Sayer, Southern Echo, first asked if the meetings held by the newly created standing committees would be open to the public, and Chairman Cardin stated that they would and the respective schedules will be posted. Next he asked if the Strategic Plan will be posted for public comment prior to adoption. Chairman Cardin stated that there is no intention to do that but copies will be available at the April meeting. Next Mr. Sayer expressed his opinion that the concerns being raised by various parties about the funding bill and the tax bills are very serious in terms of their potential impact not only on traditional public schools but also on the charter schools that are being funded in the same way. The concern about the portability of the ad valorem tax is the "wrong end of the dog" in terms consequences when it is compared to what it will mean to take a third of the revenue from the state budget and the impact that will have on public education, health care, infrastructure, and so on. It will be devastating if it comes about. He encouraged the Board to take a stance as a Board on this issue as the consequences of what could happen will be very difficult to reverse once in place. He raised further concern about the Bill that will enable a charter operator with multiple charters in the state to transfer funds received in one district to the budget of the operation of a charter in another district as it is unfair to the district in which the monies derived and opens the door to budget finagling and concealment of the weaknesses in the financial viability of the operator. With financial viability of an operator being one of the accountability standards considered by the Board in granting a charter license, he encouraged the Board to take a position on this issue.

Marilyn Young with Southern Echo, Tunica Teens in Action and Mississippi School Board Association, addressed the Board. She stated that she agrees with a statement made earlier in the meeting by Dr. Coleman-Potter concerning the dissention and arguing within public school boards and reiterated her belief that communication and community outreach will be necessary to clarify and ease the minds of the traditional public school boards as to charter schools because as the concept of charters has been present in recent years, it has been seen as adversarial to the traditional public schools. She stated that the Mississippi School Board Association meeting to be held in April would be a great opportunity for the Board to address this association.

Secondly, Ms. Young asked for clarification on the "typo" being corrected in Senate Bill 2300. Ms. Schutte explained that the language dealing with the ad valorem pro rata calculation was incorrectly worded. It stated that the "[p]ro rata amount shall be calculated by dividing the local school district's months one (1) through nine (9) average daily membership by the total amount of ad valorem receipts and in-lieu receipts...." That actually flips the calculation by dividing the number of students *by* the ad valorem and does not result in the correct pro rata amount. What needs change is the word "by" to "into" so that the average daily membership is divided *into* the total amount of ad valorem receipts to create a per pupil pro rata that is then multiplied by the membership at the charter school in order to determine the correct dollar amount.

ITEM IX. NEXT MEETING

The next meeting of the Mississippi Charter School Authorizer Board will be held on April 6, 2015 at 10:00 a.m. Dr. Potter requested the meeting be moved to an area where it would be more beneficial for community outreach. She recommended Cleveland, MS as the location. After some discussion, Ms. Schutte stated that she will work on setting that up.

ITEM X. ADJOURNMENT

Chairman Cardin requested a motion to adjourn.

MOTION: Dr. Elam

SECOND: Mr. Franklin

There being no discussion and following a vote in favor by all members present and participating, the motion carried.

The meeting adjourned at 11:20 a.m.

ADOPTED, this the 6th day of April, 2015.



TOMMIE S. CARDIN, Chairman